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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/082,132	02/26/2002	Stephen W. Hoxie	WRAIR99-54 04	5384	
27370	7590 05/04/2006		EXAMINER		
OFFICE OF	THE STAFF JUDGE	TOMASZEWSKI, MICHAEL			
U.S. ARMY MEDICAL RESEARCH AND MATERIEL COMMAND					
ATTN: MCMR-JA (MS. ELIZABETH ARWINE)			ART UNIT	PAPER NUMBER	
504 SCOTT STREET			3626		

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)	
Office Action Summary		10/082,132	HOXIE ET AL.	
		Examiner	Art Unit	
		Mike Tomaszewski	3626	
Period fo	- The MAILING DATE of this communication app r Reply	pears on the cover sheet with the c	correspondence address	
WHIC - Exten after \$ - If NO - Failur Any re	PRTENED STATUTORY PERIOD FOR REPL' HEVER IS LONGER, FROM THE MAILING DA sions of time may be available under the provisions of 37 CFR 1.1 SiX (6) MONTHS from the mailing date of this communication. period for reply is specified above, the maximum statutory period of the reply within the set or extended period for reply will, by statute the ply received by the Office later than three months after the mailing d patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tir will apply and will expire SIX (6) MONTHS from to cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).	
Status				
2a) <u>□</u> 3) <u>□</u>	Responsive to communication(s) filed on <u>02 M</u> This action is <b>FINAL</b> . 2b) This Since this application is in condition for allowar closed in accordance with the practice under E	action is non-final.  nce except for formal matters, pro		
Disposition	on of Claims			
5)	Claim(s) 1-20 and 28-42 is/are pending in the all of the above claim(s) is/are withdray Claim(s) is/are allowed. Claim(s) is/are rejected. Claim(s) is/are objected to. Claim(s) 1-20 and 28-42 are subject to restriction	wn from consideration.		
Application	on Papers			
10) 🗌 1	The specification is objected to by the Examine The drawing(s) filed on is/are: a) accomplies  Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct file oath or declaration is objected to by the Ex	epted or b) objected to by the drawing(s) be held in abeyance. Settion is required if the drawing(s) is ob	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).	
Priority u	nder 35 U.S.C. § 119			
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No.</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>				
	of References Cited (PTO-892)	4) Interview Summary		
3) 🔲 Inform	of Draftsperson's Patent Drawing Review (PTO-948) ation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) No(s)/Mail Date	Paper No(s)/Mail Do 5) Notice of Informal F 6) Other:	ate Patent Application (PTO-152)	

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## **DETAILED ACTION**

## Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - Claims 1-9, 28-35, and 41-42, drawn to a computer-readable medium containing a data structure for storing laser accident and incident information, classified in class 705, subclass 2.
  - II. Claims 10-14, drawn to a method for performing a search in a database, classified in class 707, subclass 3.
  - III. Claims 15-20 and 36-40, drawn to a method for providing information to a user based upon an input received from the user, classified in class 715, subclass 507.
- 2. The inventions are distinct, each from the other because of the following reasons:

Inventions I, II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if

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they are shown to be separately usable. In the instant case, invention I has separate utility as to a computer implemented system or method particularly adapted for a health care management or delivery organization. Invention II has separate utility as methods of searching for (i.e., querying) data stored as a database in a computer or digital data processing system, including sequential searching, primary and secondary index searching, and bit-map searching of inverted lists or topological maps. Invention III has separate utility as a method of form filling or placing information in the location provided for such information. See MPEP § 806.05(d).

- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification and/or because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.
- 4. Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by

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a diligently-filed petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(h).

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Tomaszewski whose telephone number is (571)272-8117. The examiner can normally be reached on M-F 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571)272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MT W

SUPERVISORY PATENT EXAMINER